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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/332,029	06/14/1999	PETER C. JONES	06502.0269-0	2426

22852 7590 10/07/2003

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
1300 I STREET, NW
WASHINGTON, DC 20005

EXAMINER

HO, THE T

ART UNIT	PAPER NUMBER
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2126

14

DATE MAILED: 10/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PR4

Office Action Summary

Application No.

09/332,029

Applicant(s)

JONES ET AL.

Examiner

The Thanh Ho

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-2,4-7 and 9-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7 and 9-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. In view of the appeal brief filed on 7/14/2003, PROSECUTION IS HEREBY REOPENED. Responsive to Applicant's arguments, new grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

2. Claims 1-2, 4-7 and 9-13 have been examined and are pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 4, 6-7, 9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leach U.S Patent No. 5,805,885 in view of Ouellette U.S Patent No. 6,442,619.

As to claim 1, Leach teaches generating at runtime (at runtime, lines 22-23 column 11) a class (objects, lines 15 column 11) that implements an interface (interfaces, line 25 column 11) specified at runtime having a method (202, 205 and 206...Fig. 2); creating an instance (instances are created, lines 21-22 column 11) of the class; receiving by the class instance a request (an external request is made, line 12 column 22) to process the method (lines 12-15 column 22) of the interface (IPrint interfaces, line 20 column 22); dispatching the request to an object to facilitate processing of the method of the interface (Fig. 7C, requests received by an enclosed object are passed to the enclosing object, line 67 column 22 to line 1 column 23). However, Leach does not explicitly teach returning a result of the processed method by the object.

Ouellette teaches a system in which a server object processed a method and then returned the result (server object for receiving...response-type messages, lines 24-39 column 2). It would have been obvious to apply the teachings of Ouellette to the system of Leach because this allows the server object to process subsequent messages wherein specialized functionality does not appear in the server object, but is instead distributed at lower levels of the software hierarchy as disclosed by Ouellette (line 61 column 1 to line 10 column 2).

As to claim 2, Leach as modified further teaches generating at runtime (at runtime, lines 22-23 column 11) a class that implements more than one interface (interfaces, line 25 column 11) specified at runtime, each interface having one or more methods (methods of 202, 205 and 206...Fig. 2).

As to claim 4, Leach as modified further teaches specifying an object to process method (determination which interface to retrieve and how to invoke, lines 9-10 column 23) invocations on the instance.

As to claim 6, note the discussion of claim 1 above.

As to claims 7 and 9, note the discussions claims 2 and 4 above, respectively.

As to claim 12, note the discussion of claim 1 above.

4. Claims 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leach in view of Ouellette, and further in view of Hailpern U.S Patent No. 6,275,937.

As to claim 5, Leach as modified further discloses receiving at runtime an indication (at runtime, lines 22-23 column 11) of at least one interface (interfaces, line 25 column 11) having a plurality of methods (methods of 202, 205 and 206...Fig. 2); and generating at runtime a class (objects, lines 15 column 11) that implements the interface (interfaces, line 25 column 11) by generating code for each of the methods (Code Table 3, column 12, 13 and 14). However, Leach does not teach an invocation handler.

Hailpern teaches an invocation handler (Process Execution Handler 4050, Fig. 7) that executes processes (lines 31-50 column 15). It would have been obvious to apply the teachings of Hailpern to the system of Leach because this allows dynamic aggregating objects at runtime as disclosed by Leach (line 48 column 9 to line 4 column 10).

As to claim 10, note the discussion of claim 5 above.

5. Claims 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leach in view of Ouellette and Hailpern, and further in view of Hughes U.S Patent No. 6,345,382.

As to claim 11, note the discussions of claims 1-3 and 5 above. However, Leach as modified does not teach proxy class. Hughes teaches instance of proxy class specified at runtime (dynamically specifies at run time an instance of the Proxy class 107, lines 6-8 column 8). It would have been obvious to apply the teachings of Hughes to the system of Leach because this allows dynamic loading of customized behavior for a derived class when source code for its base class is unavailable as disclosed by Hughes (lines 50-53 column 1).

As to claim 13, note the discussions of claims 1, 5 and 11 above. Leach as modified further teaches the use of a memory (memory, line 39 column 11) and a processor (central processing unit, lines 38-39 column 11).

Response to Arguments

6. Applicant's arguments filed have been fully considered but are moot in view of the new ground(s) rejection.

Applicant's arguments presented issues which required the Examiner to further view the previous rejection. The Examiner conducted a further search regarding the issues mentioned in Applicant's response. Therefore, all arguments regarding the cited references of the previous rejection are moot in view of the new grounds of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to The Thanh Ho whose telephone number is 703-306-5540. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Any response to this action should be mailed to:

Commissioner for Patents

P.O Box 1450

Alexandria, VA 22313-1450

Or fax to:

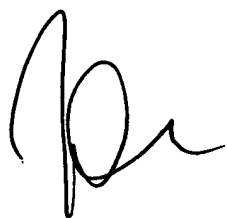
- AFTER-FINAL faxes must be signed and sent to (703) 746 – 7238
- OFFICAL faxes must be signed and sent to (703) 746 – 7239

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- NON OFFICAL faxes should not be signed, please send to (703) 746 – 7240

TTH

October 3, 2003

A handwritten signature in black ink, appearing to be 'JF', written over a light blue grid background.

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100